



# PUBLIC NOTICE

Federal Communications Commission  
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**DA 07-3241**  
**Released: July 13, 2007**

**MEDIA BUREAU ANNOUNCES COMMENT AND REPLY COMMENT DATES FOR  
THE NOTICE OF PROPOSED RULE MAKING REGARDING APPLICATIONS FOR  
CONSENT TO THE TRANSFER OF CONTROL OF LICENSES, XM SATELLITE  
RADIO HOLDINGS INC., TRANSFEROR, TO SIRIUS SATELLITE RADIO INC.,  
TRANSFeree**

**MB Docket No. 07-57**

**Comment Date: August 13, 2007**

**Reply Comment Date: August 27, 2007**

On June 25, 2007, the Commission adopted a Notice of Proposed Rulemaking (*Notice*) in this proceeding, seeking comment on whether language included in the 1997 Order establishing Satellite Digital Audio Radio Service (“SDARS”), which prohibited the transfer of control of one SDARS licensee to the other, constitutes a binding Commission rule.<sup>1</sup> In the event the Commission determines the language in the 1997 Order to be a binding rule, the *Notice* seeks comment on whether the Commission should waive, modify, or repeal the transfer prohibition if the Commission subsequently determines that the proposed merger of XM Satellite Radio Holdings Inc. and Sirius Satellite Radio Inc., on balance, would serve the public interest. The *Notice* set deadlines for filing comments and reply comments at 30 and 45 days, respectively, after publication of the *Notice* in the Federal Register.

A summary of the *Notice* was published in the Federal Register on July 12, 2007.<sup>2</sup> Accordingly, comments must be filed on or before August 13, 2007, and reply comments must be filed on or before August 27, 2007. Commenters should follow the filing instructions provided in paragraph 4 of the *Notice*. The *Notice* is available at:  
[http://www.fcc.gov/Daily\\_Releases/Daily\\_Digest/2007/dd070627.html](http://www.fcc.gov/Daily_Releases/Daily_Digest/2007/dd070627.html).

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<sup>1</sup> *Applications for Consent to the Transfer of Control of Licenses, XM Satellite Radio Holdings Inc., Transferor, to Sirius Satellite Radio Inc., Transferee*, Notice of Proposed Rule Making (MB Docket No. 07-57), FCC 07-119, rel. June 27, 2007.

<sup>2</sup> 72 FR 38055 (July 12, 2007).

For more information contact Marcia Glaubergerman or Jamila Bess Johnson, Media Bureau, Industry Analysis Division, at (202) 418-2030. Press inquiries should be directed to Mary Diamond, (202) 418-2388. TTY: (202) 418-7172 or (888) 835-5322.

By the Chief, Media Bureau

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